

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A SECOND MOUNTAIN LION TAG BE MADE AVAILABLE IN HUNTING DISTRICTS WHERE HUNTERS ARE REQUIRED TO DESIGNATE A REGION OR DISTRICT TO HUNT A MULE DEER BUCK; PROVIDING TERMS AND A FEE FOR THE SECOND MOUNTAIN LION LICENSE; AMENDING SECTIONS 87-2-104, 87-2-507, AND 87-2-508, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Second mountain lion license in certain regions and districts -- fee and terms of license. (1) Prior to January 1, 2005, for every hunting district where a hunter is required to designate an administrative region or hunting district in order to hunt a mule deer buck, a hunter who obtains a license to hunt mountain lion in that district must, upon request, be issued a second mountain lion license for use in the same district. The second mountain lion license must be issued pursuant to the terms of 87-2-507(2) and 87-2-508(2).

(2) The mountain lion quotas in hunting districts where a second license is allowed pursuant to subsection (1) must be increased by 25%. The season may not be restricted in the affected districts, and access or hunting conditions may not be modified in the affected districts as a result of the provisions of subsection (1).

(3) Prior to January 1, 2005, the procedure for issuance of a second mountain lion license as provided in subsection (1) may be:

(a) modified if the department provides substantial scientific information showing that mule deer populations in the hunting district are not affected by the number of mountain lions in that district or in an adjoining district that does not meet the qualifications of subsection (1);

(b) modified if mountain lion populations would be substantially harmed by the issuance of a second mountain lion license; and

(c) terminated if the requirement that a hunter designate an administrative region or hunting district in order to hunt a mule deer buck is eliminated.

(4) Before the procedure for issuance of a second mountain lion license as provided in subsection (1)

1 may be modified for the best interests of mule deer in the district, the department shall hold a public hearing and
2 allow written and oral public testimony on the issue.

3
4 **Section 2.** Section 87-2-104, MCA, is amended to read:

5 **"87-2-104. Number of licenses allowed -- fees.** (1) It is unlawful for any person to apply for, purchase,
6 or possess more than one license of any one class or more than one special license for any one species listed
7 in 87-2-701. This provision does not apply to Class B-4 licenses, ~~or~~ to licenses issued under subsection (3) for
8 game management purposes, or to mountain lion licenses issued under [section 1]. However, when more than
9 one license is authorized by the commission, it is unlawful to apply for, purchase, or possess more licenses than
10 are authorized.

11 (2) The department may prescribe rules and regulations for the issuance or sale of a replacement
12 license in the event the original license is lost, stolen, or destroyed upon payment of a fee not to exceed \$5.

13 (3) When authorized by the commission for game management purposes, the department may issue
14 more than one Class A-3, Class A-4, Class B-7, Class B-8, or special antelope license to an applicant. An
15 applicant for these game management licenses is not at the time of application required to hold any license or
16 permit of that class.

17 (4) The fee for any resident or nonresident license of any class issued under subsection (3) must be
18 set annually by the department and may not exceed the regular fee provided by law for that class or species.

19 (5) Pursuant to the provisions of [section 1], the department may issue a second Class D-1 or Class
20 D-2 mountain lion license to a qualified licensee."

21
22 **Section 3.** Section 87-2-507, MCA, is amended to read:

23 **"87-2-507. (Temporary) Class D-1--nonresident mountain lion license.** (1) Except as otherwise
24 provided in this chapter and subsection (2), a person who is not a resident, as defined in 87-2-102, but who is
25 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued,
26 upon payment of a fee of \$320 may receive a Class D-1 license that entitles a holder who is 12 years of age or
27 older to hunt mountain lion and possess the carcass of the mountain lion as authorized by department rules. If
28 a holder of a valid mountain lion license under this section kills a mountain lion, the licensee shall purchase a
29 trophy license for a fee of \$50 within 10 days after the date of kill. The trophy license authorizes the holder to
30 possess and transport the trophy.

1 (2) (a) Prior to January 1, 2005, a nonresident who obtains a license pursuant to subsection (1) and who
2 meets the conditions of [section 1] may obtain a second Class D-1 license that entitles the holder to hunt and
3 kill a second mountain lion in the designated hunting district, as authorized in [section 1], and to possess the
4 carcass of that mountain lion.

5 (b) The cost of a second Class D-1 license is \$5. Purchase of a trophy license is not required for a
6 mountain lion killed pursuant to the second Class D-1 license. (Terminates March 1, 2006--secs. 1, 2, Ch. 241,
7 L. 1993.)

8 **87-2-507. (Effective March 1, 2006) Class D-1--nonresident mountain lion license.** Except as
9 otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years
10 of age or older or who will turn 12 years old before or during the season for which the license is issued, upon
11 payment of a fee of \$300 may receive a Class D-1 license that entitles a holder who is 12 years of age or older
12 to hunt mountain lion and possess the carcass of the mountain lion as authorized by department rules. If a holder
13 of a valid mountain lion license under this section kills a mountain lion, the licensee shall purchase a trophy
14 license for a fee of \$50 within 10 days after the date of kill. The trophy license authorizes the holder to possess
15 and transport the trophy."

16
17 **Section 4.** Section 87-2-508, MCA, is amended to read:

18 **"87-2-508. Class D-2--resident mountain lion license. (1)** Except as otherwise provided in this
19 chapter and subsection (2), a person who is a resident, as defined in 87-2-102, and who is 12 years of age or
20 older or who will turn 12 years old before or during the season for which the license is issued, upon payment of
21 a fee of \$15, may receive a Class D-2 license that entitles a holder who is 12 years of age or older to hunt
22 mountain lion and possess the carcass of the mountain lion as authorized by department rules. If a holder of a
23 valid mountain lion license under this section kills a mountain lion, the licensee shall purchase a trophy license
24 for a fee of \$50 within 10 days after the date of kill. The trophy license authorizes the holder to possess and
25 transport the trophy.

26 (2) (a) Prior to January 1, 2005, a resident who obtains a license pursuant to subsection (1) and who
27 meets the conditions of [section 1] may obtain a second Class D-2 license that entitles the holder to hunt and
28 kill a second mountain lion in the designated hunting district, as authorized in [section 1], and to possess the
29 carcass of that mountain lion.

30 (b) The cost of a second Class D-2 license is \$5. Purchase of a trophy license is not required for a

1 mountain lion killed pursuant to the second Class D-2 license."

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3 NEW SECTION. Section 5. Codification instruction. [Section 1] is intended to be codified as an
4 integral part of Title 87, chapter 2, part 5, and the provisions of Title 87, chapter 2, part 5, apply to [section 1].

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6 NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval.

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